

■ SKINNER AND ASSOCIATES

212 Commercial Street
 Hudson, Wisconsin 54016 USA
 Tel.: 715-386-5800
 FAX: 715-386-6177
 Internet Email: info@skinnerlaw.com

INTELLECTUAL PROPERTY LAW
 Patents-Copyrights-Trademarks

Joel D. Skinner, Jr. *+‡
 Carol N. Skinner *+

* WI Bar / + MN Bar / ‡ Registered Patent Attorney

May 8, 2008

Mail Stop PCT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Re: US PATENT APPLICATION
 Title: IMAGE PROCESSING
 Application No. (US): 10/551,290
 Filing Date (US): 09/28/2005
 Priority Date:
 Attorney Docket No.: ARD132USA

Dear Sir:

Responsive to the Decision on Petition Under 37 CFR 1.181 received May 5, 2008, enclosed are:

- A copy of the Decision on Petition Under 37 CFR 1.181.
- An executed Declaration and Power of Attorney.
- A Credit Card Payment Form in the amount of \$65.00 for the surcharge required
- A return receipt postcard.
- A certificate of mailing (below).

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time under 37 CFR 1.136(a), provided a Petition is not submitted separately.

Please charge any fee due not paid by a check or credit card authorization provided herewith, and/or charge any underpayment in any fee, and/or credit any overpayment in fee, to Deposit Account No. 19-2381.

CERTIFICATE OF MAILING

Date of Deposit: 5-13-08 I hereby certify that this paper/fee is being deposited with the United States Postal Service on the date indicated above, and is addressed to the Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450.

Name


Signature

05/21/2008 GFREY1 00000095 10551290

01 FC:2617

65.00 DP

Respectfully submitted,



Joel D. Skinner, Jr.
Reg. No. 33,786

Enclosures

S:\CLIENTS\ARDavies (Marks & Clerk)\(ARD)\PATENTS\image Processing (ARD132)\080508 response-dec filing 7-4.doc



02 MAY 2008

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SKINNER AND ASSOCIATES
212 Commercial Street
Hudson, WI 54016

In re Application of	:	
JUPE, John	:	
Application No.: 10/551,290	:	DECISION
PCT No.: PCT/GB2004/001262	:	
Int. Filing Date: 25 March 2004	:	ON PETITION UNDER
Priority Date: 29 March 2003	:	
Docket No.: ARD132USA	:	37 CFR 1.181
For: IMAGE PROCESSING	:	

This decision is in response to applicant's petition to withdraw the holding of abandonment, under 37 CFR 1.181, filed in the United States Patent and Trademark Office on 19 February 2008.

BACKGROUND

On 04 February 2008, the Office mailed Decision On Petition, dismissing applicant's petition without prejudice.

On 19 February 2008, applicant filed this renewed petition under 37 CFR 1.181.

DISCUSSION

The showing required to establish nonreceipt of an Office communication is set forth in the notice entitled *Withdrawing the Holding of Abandonment When Office Actions Are Not Received*, 1156 O.G. 53 (Nov. 16, 1993). The showing must include: (1) a statement by the practitioner that the Office action was not received by the practitioner; (2) a statement attesting that a search of the file jacket and docket records indicates that the Office action was not received; and (3) a copy of the docket record where the non-received Office action would have been entered had it been received (the docket record must also be referenced in practitioner's statement).

Items (1) and (2) were previously satisfied. Item (3) has now been satisfied.

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.181 is **GRANTED**.

The Notification of Abandonment (Form PCT/DO/EO/909) mailed 15 November 2007 is **VACATED**.

Applicant is required to supply an oath or declaration of the inventors and the surcharge for late filing of the search fee, examination fee or oath or declaration within TWO (2) MONTHS from the mail date of this decision. Extensions of time are available under 37 CFR 1.136(a).

Any further correspondence with respect to this matter may be filed electronically via EFS-Web or if mailed, should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal

RECEIVED
MAY 05 2008

BY:.....

Application No. 10/551,290

-2-

Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292
Facsimile: 571-273-0459